

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 14601-14650

[Approved by the Secretary of Agriculture, Washington, D. C., January 28, 1927]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

14601. Misbranding of lemon paste. U. S. v. 36 Cases of Lemon Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21007. I. S. No. 8376-x. S. No. E-3271.)

On or about April 12, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 cases, each containing 6 five-pound tins, of lemon paste, remaining unsold at Linden, N. J., alleging that the article had been shipped by the W. J. Bush Citrus Products Co., San Diego, Calif., on or about January 23, 1926, and transported from the State of California into the State of New Jersey and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Case) "6 5-lb. Tins," (tin) "Confectioners' Lemon Paste 5 Pounds."

Misbranding of the article was alleged in the libel for the reason that the statements in the labeling, "6 5-lb. Tins," and "5 Pounds," were false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 17, 1926, W. J. Bush & Co., Inc., New York, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that the cans be relabeled under the supervision of this department, "Net Weight 4½ Pounds."

W. M. JARDINE, *Secretary of Agriculture.*

14602. Alleged adulteration of canned stringless beans. U. S. v. 52 Cases of Stringless Beans. Tried to the court and a jury. Verdict for claimant. (F. & D. No. 20655. I. S. No. 3883-x. S. No. C-4880.)

On November 30, 1925, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 52 cases of canned stringless beans, remaining in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped by the Valley Canning Co., from Springdale, Ark., on or about September 11, 1925, and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Valley Brand Stringless Beans,
* * * Packed By Valley Canning Company, Hindsville, Ark.